

Environmental Protection Agency

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F of this part, and returns the signed statement required by § 82.161(g)(1).

[58 FR 28712, May 14, 1993, as amended at 59 FR 42957, 42962, Aug. 19, 1994; 68 FR 43808, July 24, 2003; 69 FR 11980, Mar. 12, 2004]

§ 82.162 Certification by owners of recovery and recycling equipment.

(a) No later than August 12, 1993, or within 20 days of commencing business for those persons not in business at the time of promulgation, persons maintaining, servicing, or repairing appliances except for MVACs, and persons disposing of appliances except for small appliances and MVACs, must certify to the Administrator that such person has acquired certified recovery or recycling equipment and is complying with the applicable requirements of this subpart. Such equipment may include system-dependent equipment but must include self-contained equipment, if the equipment is to be used in the maintenance, service, or repair of appliances except for small appliances. The owner or lessee of the recovery or recycling equipment may perform this certification for his or her employees. Certification shall take the form of a statement signed by the owner of the equipment or another responsible officer and setting forth:

(1) The name and address of the purchaser of the equipment, including the county name;

(2) The name and address of the establishment where each piece of equipment is or will be located;

(3) The number of service trucks (or other vehicles) used to transport technicians and equipment between the establishment and job sites and the field;

(4) The manufacturer name, the date of manufacture, and if applicable, the model and serial number of the equipment; and

(5) The certification must also include a statement that the equipment will be properly used in servicing or disposing of appliances and that the information given is true and correct. Owners or lessees of recycling or recovery equipment having their places of business in:

Connecticut
Maine
Massachusetts
New Hampshire

Rhode Island
Vermont

must send their certifications to:

CAA section 608 Enforcement Contact; EPA Region I; Mail Code OES04-5; 5 Post Office Square—Suite 100, Boston, MA 02109-3912.

Owners or lessees of recycling or recovery equipment having their places of business in:

New York
New Jersey
Puerto Rico
Virgin Islands

must send their certifications to:

CAA section 608 Enforcement Contact; EPA Region II (2DECA-AC); 290 Broadway, 21st Floor; New York, NY 10007-1866.

Owners or lessees of recycling or recovery equipment having their places of business in:

Delaware
District of Columbia
Maryland
Pennsylvania
Virginia
West Virginia

must send their certifications to:

CAA section 608 Enforcement Contact; EPA Region III—Wheeling Operations Office; Mail Code 3AP12; 303 Methodist Building; 11th and Chapline Streets; Wheeling, WV 26003.

Owners or lessees of recycling or recovery equipment having their places of business in:

Alabama
Florida
Georgia
Kentucky
Mississippi
North Carolina
South Carolina
Tennessee

must send their certifications to:

CAA section 608 Enforcement Contact; EPA Region IV(APT-AE); Atlanta Federal Center; 61 Forsyth Street, SW.; Atlanta, GA 30303.

Owners or lessees of recycling or recovery equipment having their places of business in:

Illinois
Indiana
Michigan
Minnesota
Ohio
Wisconsin

must send their certifications to:

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CAA section 608 Enforcement Contact, EPA
Region V (AE17J); 77 West Jackson Blvd.;
Chicago, IL 60604-3507.

Owners or lessees of recycling or re-
covery equipment having their places
of business in:

Arkansas
Louisiana
New Mexico
Oklahoma
Texas

must send their certifications to:

CAA section 608 Enforcement Contact; EPA
Region VI (6EN-AA); 1445 Ross Avenue,
Suite 1200; Dallas, Texas 75202.

Owners or lessees of recycling or re-
covery equipment having their places
of business in:

Iowa
Kansas
Missouri
Nebraska

must send their certifications to:

CAA section 609 Enforcement Contact; EPA
Region 7; Mail Code AWMD/APCO/ACES;
11201 Renner Boulevard, Lenexa, Kansas
66219.

Owners or lessees of recycling or re-
covery equipment having their places
of business in:

Colorado
Montana
North Dakota
South Dakota
Utah
Wyoming

must send their certifications to:

CAA section 608 Enforcement Contact, EPA
Region VIII, Mail Code 8ENF-T, 999 18th
Street, Suite 500, Denver, CO 80202-2466.

Owners or lessees of recycling or re-
covery equipment having their places
of business in:

American Samoa
Arizona
California
Guam
Hawaii
Nevada

must send their certifications to:

CAA section 608 Enforcement Contact; EPA
Region IX; Mail Code AIR-5; 75 Hawthorne
Street; San Francisco, CA 94105.

Owners or lessees of recycling or re-
covery equipment having their places
of business in:

Alaska
Idaho
Oregon

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Washington

must send their certifications to:

CAA section 608 Enforcement Contact; EPA
Region X (OAQ-107); 1200 Sixth Avenue; Se-
attle, WA 98101.

(b) Certificates under paragraph (a)
of this section are not transferable. In
the event of a change of ownership of
an entity that maintains, services, or
repairs appliances except MVACs, or
that disposes of appliances except
small appliances, MVACs, and MVAC-
like appliances, the new owner of the
entity shall certify within 30 days of
the change of ownership pursuant to
paragraph (a) of this section.

(c) No later than August 12, 1993, per-
sons recovering refrigerant from small
appliances, MVACs, and MVAC-like ap-
pliances for purposes of disposal of
these appliances must certify to the
Administrator that such person has ac-
quired recovery equipment that meets
the standards set forth in § 82.158 (1)
and/or (m), as applicable, and that such
person is complying with the applica-
ble requirements of this subpart. Such
equipment may include system-depend-
ent equipment but must include self-
contained equipment, if the equipment
is to be used in the disposal of appli-
ances except for small appliances. The
owner or lessee of the recovery or recy-
cling equipment may perform this cer-
tification for his or her employees. Cer-
tification shall take the form of a
statement signed by the owner of the
equipment or another responsible offi-
cer and setting forth:

(1) The name and address of the pur-
chaser of the equipment, including the
county name;

(2) The name and address of the es-
tablishment where each piece of equip-
ment is or will be located;

(3) The number of service trucks (or
other vehicles) used to transport tech-
nicians and equipment between the es-
tablishment and job sites and the field;

(4) The manufacturer's name, the
date of manufacture, and if applicable,
the model and serial number of the
equipment; and

(5) The certification must also in-
clude a statement that the equipment
will be properly used in recovering re-
frigerant from appliances and that the
information given is true and correct.

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The certification shall be sent to the appropriate address in paragraph (a).

(d) Failure to abide by any of the provisions of this subpart may result in revocation or suspension of certification under paragraph (a) or (c) of this section. In such cases, the Administrator or her or his designated representative shall give notice to the organization setting forth the basis for her or his determination.

[58 FR 28712, May 14, 1993, as amended at 59 FR 42962, Aug. 19, 1994; 69 FR 11980, Mar. 12, 2004; 78 FR 37977, June 25, 2013]

§ 82.164 Reclaimer certification.

Effective May 11, 2004, all persons reclaiming used refrigerant for sale to a new owner, except for persons who properly certified under this section prior to May 11, 2004, must certify to the Administrator that such person will:

(a) Reprocess refrigerant to all of the specifications in Appendix A of this subpart (based on ARI Standard 700–1995, *Specification for Fluorocarbons and Other Refrigerants*) that are applicable to that refrigerant;

(b) Verify that the refrigerant meets these specifications using the analytical methodology prescribed in Appendix A, which includes the primary methodologies included in the appendix to the ARI Standard 700–1995;

(c) Release no more than 1.5 percent of the refrigerant during the reclamation process; and

(d) Dispose of wastes from the reclamation process in accordance with all applicable laws and regulations.

(e) The data elements for certification are as follows:

(1) The name and address of the reclaimer;

(2) A list of equipment used to reprocess and analyze the refrigerant; and

(3) The owner or a responsible officer of the reclaimer must sign the certification stating that the refrigerant will be reprocessed to all of the specifications in Appendix A of this subpart (based on ARI Standard 700–1995, *Specification for Fluorocarbons and Other Refrigerants*) that are applicable to that refrigerant, that the refrigerant's conformance to these specifications will be verified using the analytical method-

ology prescribed in Appendix A (which includes the primary methodologies included in the appendix to the ARI Standard 700–1995), that no more than 1.5 percent of the refrigerant will be released during the reclamation process, that wastes from the reclamation process will be properly disposed of, that the owner or responsible officer of the reclaimer will maintain records and submit reports in accordance with § 82.166(g) and (h), and that the information given is true and correct. The certification should be sent to the following address: U.S. Environmental Protection Agency; Global Programs Division (6205J); 1200 Pennsylvania Avenue, NW., Washington, DC 20460; Attn: Section 608 Recycling Program Manager—Reclaimer Certification.

(f) Certificates are not transferable. In the event of a change in ownership of an entity which reclaims refrigerant, the new owner of the entity shall certify within 30 days of the change of ownership pursuant to this section.

(g) Failure to abide by any of the provisions of this subpart may result in revocation or suspension of the certification of the reclaimer in accordance with § 82.169. In such cases, the Administrator or her or his designated representative shall give notice to the organization setting forth the basis for her or his determination.

[58 FR 28712, May 14, 1993, as amended at 59 FR 42957, 42962, Aug. 19, 1994; 59 FR 55927, Nov. 9, 1994; 68 FR 43809, July 24, 2003; 69 FR 11980, Mar. 12, 2004]

§ 82.166 Reporting and recordkeeping requirements.

(a) All persons who sell or distribute or offer to sell or distribute any refrigerant must retain invoices that indicate the name of the purchaser, the date of sale, and the quantity of refrigerant purchased.

(b) Purchasers of refrigerant who employ certified technicians may provide evidence that at least one technician is properly certified to the wholesaler who sells them refrigerant; the wholesaler must then keep this information on file and may sell refrigerant to the purchaser or his authorized representative even if such purchaser or authorized representative is not a properly